

article was labeled in part: "One Pound Lake Park Butter Distributed by Henningsen Creamery Co. Seattle, Washington."

It was alleged in substance in the libel that the article was misbranded under section 8 of the act, paragraphs 2 and 3 under food, in that it was short weight, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 13, 1925, the Henningsen Creamery Co., Seattle, Wash., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$175, conditioned in part that it be relabeled under the supervision of this department.

W. M. JARDINE, *Secretary of Agriculture.*

14528. Misbranding of butter. U. S. v. 8 Cases of Butter. Default decree of condemnation and forfeiture. Product delivered to public institutions. (F. & D. No. 20244. I. S. No. 23451-v. S. No. W-1741.)

On June 25, 1925, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 8 cases of butter, remaining in the original unbroken packages in possession of a common carrier, at Seattle, Wash., alleging that the article had been prepared for shipment and was to have been shipped in interstate commerce from the State of Washington into the Territory of Alaska, on June 24, 1925, by the Carstens Packing Co., Seattle, Wash., and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton) "Jersey Lily Brand Fancy Creamery One Pound Net Weight * * * Manufactured Exclusively by Turner & Pease Co. Seattle, Washington."

It was alleged in substance in the libel that the article was misbranded under section 8 of the act, paragraphs 2 and 3 under food, in that it was short weight, and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 29, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be delivered to public institutions.

W. M. JARDINE, *Secretary of Agriculture.*

14529. Adulteration and misbranding of butter. U. S. v. 78 Tubs of Butter. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21200. I. S. No. 6355-x. S. No. E-5808.)

On July 10, 1926, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 78 tubs of butter, remaining in the original unbroken packages at Philadelphia, Pa., consigned by the H. C. Christians Co., Chicago, Ill., alleging that the article had been shipped from Chicago, Ill., on or about July 1, 1926, and transported from the State of Illinois into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "H. C. Christians Co. 1721 Chicago, Ill."

Adulteration of the article was alleged in the libel for the reason that a substance containing less than 80 per cent of butterfat had been mixed and packed therewith so as to reduce, lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that a valuable constituent of the article, butterfat, had been wholly or in part abstracted.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On July 13, 1926, the H. C. Christians Co., Chicago, Ill., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings, said costs to include the cost of supervision by this department of the reconditioning of the product, and the execution of a bond in the sum of \$1,600, conditioned in part that it not be sold or otherwise disposed of contrary to law.

W. M. JARDINE, *Secretary of Agriculture.*